

City of Sugar Hill
Planning Staff Report
RZ 20-002

DATE: June 24, 2020
TO: Mayor and Council
FROM: Planning Director
SUBJECT: Rezoning RZ 20-002
Nelson Brogdon Blvd at Sycamore Road



ISSUE The City of Sugar Hill has received an application dated April 24, 2020, from Sinh Bui requesting to change existing zoning conditions, retain the existing general business (BG) zoning and expand the Central Business District (CBD) overlay zoning district to include the subject property ±10.79 acres at the northwest corner of Sycamore Road and Georgia Highway 20.

DISCUSSION

- Condominiums (dwelling units owned or financed by the occupant) aimed at active adults age 55 and older are proposed for the residential product.
- Downtown master plan calls for mixed use up to three stories within a 15-minute walk of the E Center and up to four stories within a 10-minute walk.
- The entire project will be within a 12-minute walk of the downtown core.
- The proposed site design is not entirely consistent with the adopted plan and CBD design standards; though the intended mix of land uses (active adult condominiums, office/retail and grocery) is compatible with the downtown plans.
- Against the existing residential properties to the north, residential condominium and office buildings are lower intensity uses than a grocery store, general retail and other neighborhood services and could act as buffer against potential light, noise, vibration and odors.
- Current zoning approval requires big box retail development with a long list of conditions on the subject property. Many of these conditions either duplicate current standard development requirements or are no longer consistent with adopted plans.
- Conceptual building arrangement appears to lack a coherent pedestrian oriented streetscape design and architectural texture that is sufficiently aligned with the goals of the downtown master plan. However, the site design may be refined through the design review board process in order to provide an overall development format which reflects the adopted downtown vision plan.
- Subject property currently lies within the Town Center Overlay and requires design review approval prior to approving permits for any improvements.
- The applicant was unable to produce the necessary documents for a full design review of the first phase of development which is to include the grocery store and associated site improvements but wishes to continue pursuing zoning approval for the project at this time.

RECOMMENDED ACTION

Approval of the request for general business zoning, change in conditions and expansion of the central business district to include the subject property with the following nine conditions as recommended by the planning commission.

PLANNING COMMISSION RECOMMENDATION

The planning commission held a scheduled public hearing on Monday, June 15, 2020. Patricia Smith spoke on behalf of this request. The planning commission made a motion to approve the change in conditions for the existing BG zoning, and the expansion into the CBD with the following conditions:

1. These conditions shall replace and supersede all prior stipulations and conditions, including all prior zoning actions, variances, and special use permits that are currently in place on the subject property.
2. Site development plan for 2.94 acre commercial tract shall not contain more than 152 parking spaces.
3. The following uses are prohibited:
 - a. Psychic reading,
 - b. fortune telling,
 - c. astrology,
 - d. phrenology,
 - e. palmistry,
 - f. clairvoyance or related commercial practices.
4. All dwelling units shall be set up as condominiums. No more than 10% of the total number of dwelling units are allowed to be leased at any one time. Notice shall be recorded with the covenants and enforced by the property owners association.
5. At least 80% of the occupied units shall be occupied by at least one person who is 55 years of age or older. Notice shall be recorded with the covenants and enforced by the property owners association.
6. Developer must provide enhanced pedestrian crossings, protected left turn signals and decorative mast arms at Highway 20 (subject to coordination with City of Sugar Hill, Gwinnett Department of Transportation and Georgia Department of Transportation) and Sycamore Road. The developer may execute a performance agreement accompanied by sufficient surety to cover the cost of construction prior to receiving certificate of occupancy for residential building(s).
7. Developer must provide an enhanced pedestrian crossing on Sycamore Road prior to receiving a building permit for residential building(s).
8. Total number of parking spaces on all tracts shall not exceed 420 spaces.
9. Developer shall provide written notification to the school board to include number of units, type of housing, number of bedrooms and phasing of the project.

Motion approved 5-0.

BACKGROUND

Applicant/Owner:	Sinh Bui
Existing Zoning:	General Business District (BG)
Request(s):	General Business District with Central Business District Overlay (BG/CBD)
Purpose:	Mixed use. Residential condominium buildings, retail and office.
Property Size:	± 10.79 acres
Location:	Tax Parcel Id Number: 7-306-047, 048, -49, 050, 051 & 052 5000 Block of Nelson Brogdon Blvd. @ Sycamore Road
Public Notice:	Letters to adjoining owners via USPS regular mail on 5/27/20 Sign posted at 1113 Buford Highway 5/27/20 Ad in legal section of Gwinnett Daily Post on 5/27/20 & 6/24/20
Public Comments:	Opposing: Gary Pirkle by phone. Supporting: Tricia Smith (Sycamore Rd) by phone. Linda Mullins (Riverside Rd) supportive of grocery and age restricted condos, expressed mild concern about possibility of congestion at the corner and excitement about the downtown and greenway plans.

FINDINGS OF FACT

- North: Medium Density Single-Family Residential (RS100)
- South: General Business District (BG) & Light Manufacturing District (LM)
- East: Medium Density Single-Family Residential (RS100) & Light Industry District (HM-1)
- West: Light Industry District (HM-1) & Office Institutional District (OI)

The proposed site plan shows four commercial buildings totaling 73,000 gross floor area (GFA) for general retail and office (4.22 acres) with an additional 31,042+/- SF grocery store on the corner (2.94 acres).

Four buildings, each with five-stories and 40,000 square foot GFA, housing a total of age restricted 120 residential condominium units are proposed for the remainder of the property.

A total of 463 parking spaces are provided for the site. 177 for the general retail/office space, 152 for the grocery store and 134 for the residential buildings of which 111 are provided under the buildings on the ground level.

ZONING ANALYSIS

1. Will the rezoning requested permit a use that is suitable in view of the use and development of adjacent and nearby property?

Yes. The subject property lies within a 15 minute walk of the downtown core. Condominium residences, office and retail are desirable land use elements within the

downtown area. However, the site plan and building format are not entirely consistent with the downtown master plan and CBD design standards.

- 2. *Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby properties?***

No.

- 3. *Does the property for which the rezoning is requested have a reasonable economic use as current zoned?***

Yes.

- 4. *Will the rezoning requested create an overcrowding condition with respect to the existing streets, transportation facilities, or schools?***

No. Recent capacity improvements to Highway 20 and intersection improvements are expected to provide sufficient levels of service. Pedestrian safety improvements along Sycamore Road and Highway 20 will be necessary to meet goals of the downtown master plan.

- 5. *Does the rezoning requested conform to the Sugar Hill Land Use Plan?***

Yes. However, the site design and arrangement of the buildings do not appear to be entirely consistent with the downtown vision plan and CBD design standards.

- 6. *Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?***

The City's Comprehensive Plan:

“Encourage small-scale, retail and service-oriented commercial development in commercial nodes near residential neighborhoods.” (4.2.1)